

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

PAUL LUMAN, Individually and On)	
Behalf of All Others Similarly Situated,)	
)	
Plaintiff,)	
)	
v.)	Case No. 08-0514-CV-W-HFS
)	
PAUL G. ANDERSON, et al.,)	
)	
Defendants.)	
)	
)	
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)	
VIPUL TUMMALA, Individually and On)	
Behalf of All Others Similarly Situated,)	
)	
Plaintiff,)	
)	
v.)	Case No. 08-0681-CV-W-HFS
)	
FCSTONE GROUP, INC., et al.,)	
)	
Defendants.)	

ORDER

The above-captioned cases allege securities fraud and are putative class actions. In the Luman case, movant Electrical Workers Pension Fund, Local 103, I.B.E.W. and Thomas Lucas (Local 103 and Lucas) filed a motion for consolidation, for appointment as lead plaintiff and for approval of lead plaintiff's selection of lead and liaison counsel. The motion is unopposed.

Local 103 and Lucas request that the above-captioned related cases be consolidated pursuant to Federal Rule of Civil Procedure 42(a). After reviewing the allegations, the court finds that these two cases involve common questions of law and fact and should be consolidated. Next, they seek

appointment as lead plaintiff pursuant to the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4. The notice requirement of the statute has been satisfied by the July 16, 2008 publication. See 15 U.S.C. § 78u-4(a)(3)(A)(i). Further, consideration of the factors for appointment of lead plaintiff, outlined in 15 U.S.C. § 78u-4(a)(3)(B)(iii), weigh in favor of movant. Local 103 and Lucas timely filed their motion for appointment, appear to have the largest known financial interest and otherwise satisfy the requirements of Rule 23 of the Federal Rules of Civil Procedure. Therefore, the court will appoint Local 103 and Lucas as lead plaintiff. Finally, Local 103 and Lucas ask the court to approve their selection of Coughlin Stoia Geller Rudman & Robbins LLP to serve as lead counsel and Yonke & Pottenger, L.L.C. to serve as liaison counsel. The lead plaintiff has the authority to “select and retain counsel to represent the class,” subject to the court’s approval. 15 U.S.C. § 78u-4(a)(3)(B)(v). Local 103 and Lucas’ selection of the aforementioned firms will be approved.

Accordingly, it is hereby

ORDERED that movant Electrical Workers Pension Fund, Local 103, I.B.E.W. and Thomas Lucas’ motion for consolidation, for appointment as lead plaintiff and for approval of lead plaintiff’s selection of lead and liaison counsel (ECF doc. 6 in Case No. 08-0514,) is GRANTED. It is further

ORDERED that the above-captioned cases are consolidated. It is further

ORDERED that the court appoints Electrical Workers Pension Fund, Local 103, I.B.E.W. and Thomas Lucas as Lead Plaintiff. It is further

ORDERED that the court approves Lead Plaintiff's selection of Coughlin Stoia Geller Rudman & Robbins LLP to serve as Lead Counsel and Yonke & Pottenger, L.L.C. to serve as Liaison Counsel.

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

July 20, 2009

Kansas City, Missouri